

**REMARKS**

This Amendment is filed in response to the Office Action dated May 12, 2008. Claims 1-27 were pending in this application. Claims 26-27 were previously withdrawn. Claims 1-25 are rejected. Claims 3-5 and 10-19 are amended in this response. Claims 1-2, 8-9, and 20-25 are canceled without prejudice.

No new matter is introduced by this Amendment. The amendments to Claims 3 and 10 are supported by Page 29, Line 9 to Page 32, Line 3 of the specification. The amendments to Claims 4 and 11 are supported by Page 25, Line 14 to Page 27, Line 15 of the specification. Favorable reconsideration of the application in light of the foregoing amendments and following comments is respectfully solicited.

**Claim Rejections under 35 U.S.C. § 101**

Claims 8-25 were rejected under 35 U.S.C. § 101 because the Office Action asserted that the claims are directed toward non-statutory subject matter.

Applicants submit that the rejections of Claims 8-9 and 20-25 are moot in view of the cancellation of those claims. The rejections of Claims 10-19 are traversed, and reconsideration and withdrawal thereof respectfully requested.

While amended Claims 10-11 claim a “storage medium” containing a computer program, these claims make clear that when the storage medium is read and processed by a computer, specific functions are executed by the computer. Therefore Applicants submit that amended Claims 10-11 are directed toward statutory subject matter, as are amended Claims 12-19, which depend from amended Claims 10 and 11.

**Claim Rejections under 35 U.S.C. § 102(e)**

Claims 1-4, 8-11, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Swift (U.S. Patent Application Publication 2002/0122585).

Applicants submit that the rejections of Claims 1-2, 8-9, and 20 are moot in view of the cancellation of those claims. The rejections of Claims 3-4 and 10-11 are traversed, and reconsideration and withdrawal thereof respectfully requested.

Amended independent Claim 3 is believed to be allowable because Swift does not disclose or suggest a three-dimensional image displaying method wherein when the three-dimensional stereoscopic image content contains multiple image data which correspond respectively to multiple viewpoints and the multiple image data includes unencrypted image data which correspond to at least two viewpoints and encrypted image data which correspond to one or more viewpoints, the process for reproducing the content with a restriction is a process for reproducing the content as a three-dimensional stereoscopic image using the unencrypted image data which correspond to at least two viewpoints, as required by amended Claim 3.

Amended independent Claim 4 is believed to be allowable because Swift does not disclose or suggest a three-dimensional image displaying method wherein when the three-dimensional stereoscopic image content contains original multiple image data which correspond respectively to multiple viewpoints and other multiple image data which correspond respectively to the multiple viewpoints, the process for reproducing the content with a restriction is a process for adding the respective other image data to the respective original image data for the respective viewpoints so as to generate new multiple image data which correspond respectively to the multiple viewpoints and reproducing the content as a three-dimensional stereoscopic image using the generated new multiple image data in such a manner that another three-dimensional

stereoscopic image appears in front of the range where an original three-dimensional stereoscopic image can be observed, as required by amended Claim 4.

Amended independent Claim 10 is believed to be allowable because Swift does not disclose or suggest a computer readable storage medium containing a computer program configured to, when read and processed by a computer system, display a three-dimensional stereoscopic image, wherein when the three-dimensional stereoscopic image content contains multiple image data which correspond respectively to multiple viewpoints and the multiple image data includes unencrypted image data which correspond to at least two viewpoints and encrypted image data which correspond to one or more viewpoints, the reproducing the content with a restriction performs a process for reproducing the content as a three-dimensional stereoscopic image using the unencrypted image data which correspond to at least two viewpoints, as required by amended Claim 10.

Amended independent Claim 11 is believed to be allowable because Swift does not disclose or suggest a computer readable storage medium containing a computer program configured to, when read and processed by a computer system, display a three-dimensional stereoscopic image, wherein when the three-dimensional stereoscopic image content contains original multiple image data which correspond respectively to multiple viewpoints and other multiple image data which correspond respectively to the multiple viewpoints, the reproducing the content with a restriction performs a process for adding the respective other image data to the respective original image data for the respective viewpoints so as to generate new multiple image data which correspond respectively to the multiple viewpoints and reproducing the content as a three-dimensional stereoscopic image using the generated new multiple image data in such a manner that another three-dimensional stereoscopic image appears in front of the range where an

original three-dimensional stereoscopic image can be observed, as required by amended Claim 11.

Amended independent Claims 3-4 and 10-11 are therefore not anticipated by Swift, and believed to be allowable. Claims 6-7, and amended Claims 5 and 12-19 are allowable for at least their dependency from amended Claims 3-4 and 10-11.

**Claim Rejections under 35 U.S.C. § 103(a)**

Claims 5, 6, 12-14, 21, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of White (U.S. Patent Application Publication 2003/0009669). Claims 7, 15, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of White, further in view of Glover (U.S. Patent 6,185,686). Claims 16-19, 22, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Swift in view of White, further in view of Cookson (U.S. Patent 6,771,888).

Applicants submit that the rejections of Claims 21-25 are moot in view of the cancellation of those claims. The rejections of Claims 5-7 and 12-19 are traversed, and reconsideration and withdrawal thereof respectfully requested.

Applicants incorporate herein the arguments previously advanced in traversal of the rejections of Claims 3-4 and 10-11 predicated upon Swift. None of the cited references disclose the added subject matter of amended Claims 3-4 and 10-11, and therefore any combination of the cited references would be missing the aforementioned features of the claimed subject matter. Moreover, it would not have been obvious to modify any combination of the cited references to yield the subject matter of amended Claims 3-4 and 10-11.

**Application No.: 10/804,199**

Therefore amended independent Claims 3-4 and 10-11 are believed to be allowable. Claims 6-7, and amended Claims 5 and 12-19 are allowable for at least their dependency from amended Claims 3-4 and 10-11.

In view of the above remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd  
Registration No. 46,429

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 DD:BPC:MWE  
Facsimile: 202.756.8087  
**Date: August 1, 2008**

**Please recognize our Customer No. 20277  
as our correspondence address.**